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Attorneys For Plaintiffs, LIFE TECHNOLOGIES CORPORATION,  
MOLECULAR PROBES, INC., and THE REGENTS OF  
THE UNIVERSITY OF CALIFORNIA

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

LIFE TECHNOLOGIES CORPORATION,  
MOLECULAR PROBES, INC., and THE  
REGENTS OF THE UNIVERSITY OF  
CALIFORNIA,

Plaintiffs,

v.

eBIOSCIENCE CORPORATION,

Defendant.

Case No. 3:10-CV-02127-IEG-NLS

**NOTICE OF RELATED CASES**

**[L.R. 40.1(e)]**

Presiding Judge: Hon. Irma E. Gonzalez  
Magistrate: Hon. Nita L. Stormes

Pursuant to Local Rule 40.1(e), Plaintiffs LIFE TECHNOLOGIES CORPORATION,  
MOLECULAR PROBES, INC. and THE REGENTS OF THE UNIVERSITY OF  
CALIFORNIA ("Plaintiffs"), hereby give notice that there are Related Cases (as defined by  
Local Rule 40.1(f)) pertaining to the above-referenced matter.

1           1.       *eBioscience Corporation v. Invitrogen Corporation, Quantum Dot Corporation*  
2       *and Molecular Probes, Inc.*, Case No. 08CV1729, filed on September 22, 2008, United States  
3       District Court, Southern District of California (J. Houston). eBioscience filed a Complaint for  
4       Declaratory Judgment against some of the parties in this action (Molecular Probes, Inc. and  
5       Invitrogen Corporation<sup>1</sup>) seeking a declaration that the same patents-in-suit in this action (U.S.  
6       Patent Nos. 6,423,551, 6,699,723, and 6,927,069) were invalid and not infringed. The  
7       Complaint was dismissed by the Court on April 20, 2009 for lack of subject matter jurisdiction,  
8       before an answer was filed or any discovery by the parties, and no action on the merits of  
9       eBioscience's allegations was ever taken by the Court. Plaintiff does not believe that it will  
10      serve judicial economy to assign this case to the Honorable John A. Houston.

11          2.       *Invitrogen Corporation, Quantum Dot Corporation, Molecular Probes, Inc., et*  
12      *al. v. Evident Technologies, Inc.*, Case No. 6:08-CV-163, filed on April 29, 2008, United States  
13      District Court, Eastern District of Texas (J. Davis). Some of the parties in this action  
14      (Molecular Probes, Inc., Invitrogen Corporation, and The Regents of the University of  
15      California) filed a complaint for infringement of the same patents-in-suit. This case terminated  
16      with the filing of a consent judgment of patent infringement, validity and enforceability of the  
17      patents-in-suit and a permanent injunction against defendant's further infringement.

18           Because neither action is currently pending in this district, and the prior action in this  
19      district was promptly dismissed prior to any investment by the court on the merits, Plaintiffs do  
20      not believe "assignment to a single district judge is ... likely to effect a saving of judicial effort  
21      and other economies." *See* Local Rule 40.1(e).

22      Dated: October 14, 2010

GORDON & REES LLP

/s/ Matthew D. Murphey

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LIFE TECHNOLOGIES CORPORATION,  
MOLECULAR PROBES, INC., and the  
REGENTS OF THE UNIVERSITY OF  
CALIFORNIA

28      <sup>1</sup> Plaintiff Life Technologies Corporation was formerly known as Invitrogen Corporation.